

**THE VIRGINIA BOARD FOR
WATERWORKS AND WASTEWATER WORKS OPERATORS AND ONSITE
SEWAGE SYSTEM PROFESSIONALS**

MEETING MINUTES

The Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals met on Wednesday, December 5, 2007 at the offices of the Virginia Department of Professional and Occupational Regulation, Perimeter Center, Board Room 2, 2nd Floor, 9960 Mayland Drive, Richmond, Virginia 23233.

The following members of the Board were present:

Harold W. Walker, Chair
Frank L. Davis, Jr. Vice-Chair
Eileen M. Leininger
Douglas J. Crooks
Marcia J. Degen
Ronald Thomas
Kornell "Trapper" Davis Jr.
E. Brooke Philpy
J. Wesley Kleene
John Vanderland

Dr. Charles Bott was unable to attend.

The following members of DPOR staff were present during some or all of the meeting:

Jay W. DeBoer, Director
David Ashe, Chief Deputy Director
Karen O'Neal, Deputy Director for RPD
David Dick, Executive Director
Earlyne Perkins, Legal Analyst
David Dehetre, Office Manager

No member of the Office of the Attorney General was present during the meeting.

Others who attended the meeting included:

Gerald Kirkbride, Respondent
Peggy MacCann, Hampton Rhodes Sanitation District

Chairperson Harold W. Walker, finding a quorum of the Board present, called the meeting to order at 8:39 AM.

Call to Order

Mr. F. Davis moved to approve the agenda. Ms. Leininger seconded the motion which was unanimously approved by the following board members: Walker, Leininger, F. Davis, Crooks, Degen and Kleene.

Adopt Agenda

Mr. K. Davis, Mr. Thomas, Mr. Vanderland and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

Ms Leininger moved that the Board approve the minutes of its September 19, 2007 meeting, the IFF minutes of October 18, 2007 and the Onsite Sewage System Professionals Committee meeting of November 12, 2007. Dr. Degen seconded the motion which was unanimously approved by the following members: Walker, Leininger, Davis, Crooks, Degen and Kleene. Mr. K. Davis, Mr. Thomas, Mr. Vanderland and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

Approval of Minutes

Chairperson Walker opened the floor for public comment. There were no public comments.

Public Comment Period

In the matter of **File Number 2008-01261, Gerald Kirkbride**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Gerald Kirkbride (Respondent) was present and addressed the Board. Mr. Crooks moved that the Board accept the presiding officer's summary and recommendation. Mr. F. Davis seconded the motion which was unanimously approved by the following members: Walker, Leininger, Davis, Crooks, Degen and Kleene. Mr. K. Davis, Mr. Thomas, Mr. Vanderland and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

File Number 2008-01261

Other Business

Mr. Dick briefed the Board on the public response from the Notice of Intended Regulatory Action for a general review of the Board's current regulations and on the public response from the Notice of Intended Regulatory Action for the new Onsite Sewage System Professionals regulatory program. A summary of the comments received as well as copies of the comments was presented to the Board. The Board agreed without dissent to refer the public comments to the respective committees for consideration and response.

Regulation Review Update

Mr. Dick and Mr. Vanderland briefed the Board on the progress made by the Onsite Sewage System Professionals Committee during its meeting on November 12, 2007.

Mr. Dick reviewed with the Board the results of the response to the Waterworks Operator CPE Audit. Out of 67 selected 58 have

Waterworks Operator CPE

completed the audit, six have surrendered their license, 2 have an **Audit Progress Report** incomplete response and one has not responded.

Future Board Meeting Dates:

Future Meeting Dates

March 5, 2008

June 25, 2008

September 24, 2008

December 4, 2008

Board members completed their conflict of interest forms and travel vouchers. **Conflict of Interest Forms**

The Board adjourned at 9:25 A.M.

Adjournment

Harold W. Walker, Chairperson

Jay W. DeBoer, Secretary